Law- meaning, characteristics, purpose, and Classification

What is Law?

The term “law” holds three primary meanings. Firstly, it signifies the concept of a “legal order.” This refers to a structured system that governs relationships and directs proper conduct through the organised and authoritative influence of a political society. It establishes a framework for resolving conflicts and maintaining order by employing the regulated force of the governing body.

Secondly, “law” encompasses the entirety of legal precepts existing within a politically organised community. It encompasses a comprehensive collection of rules, regulations and principles that guide the behaviour of individuals and institutions, ensuring a functioning and orderly society. This body of legal principles forms the foundation upon which the society’s operations and interactions are built.

Thirdly, the term “law” extends to encompass all forms of official control operating within a politically structured society. This encompasses not only the theoretical constructs of law but also the practical application of justice. It involves the implementation of established legal principles to resolve disputes and uphold fairness in society. This aspect of law distinguishes between the theoretical guidance provided by legal frameworks and the active execution of justice by authorities.

In a narrower sense, “law” can refer specifically to civil law or the legal regulations governing a particular geographic region. This definition emphasises the tangible and operational aspects of the legal system that govern daily interactions, disputes

Purpose of Law

Law serves various purposes, with four primary standing out:

Maintaining Order

Law acts as a derivative of establishing societal norms. Similar to how a civilised society necessitates shared values, law provides a consistent framework. Enforced law ensures alignment with society’s guidelines. For example, wildlife management laws safeguard and preserve game for future generations.

Establishing Standards

Law sets a benchmark for acceptable conduct within society. It designates actions that are considered criminal, indicating society's stance on behaviours that could harm individuals or their belongings. For instance, causing unjustifiable harm to another person is a crime, constituting assault.

Resolving Disputes

In societies encompassing diverse desires, needs and values, disputes are inevitable. Law offers a formal avenue for resolving these conflicts, often through the court system.

Protecting Liberties and Rights

Constitutions and statutes grant various rights and freedoms to individuals within their respective jurisdictions. One of the crucial functions of law is safeguarding these rights from unjust infringement by entities like governments or individuals. Should someone perceive their right to free speech violated by the government, legal recourse is available through court proceedings

These key purposes of law collectively underscore law's role in upholding societal order, defining acceptable conduct, settling disagreements and safeguarding individual liberties and rights.

Functions of Law in Jurisprudence

The functions of law in jurisprudence have been a subject of diverse perspectives among jurists. Law is recognised as a dynamic concept that evolves with time and location, adapting to societal changes. Its contemporary interpretation positions law not merely as an end but as a means to achieve an end – the attainment of social justice. The consensus among theorists is that law serves as a key instrument for ensuring justice.

One viewpoint, articulated by **Holland** on functions of law asserts that law serves the greater welfare of society, transcending its role as a mere safeguard for individual rights.

Roscoe Pound identified four key functions of law: the preservation of law and order, the upholding of societal equilibrium, the facilitation of individual freedom and the satisfaction of fundamental human needs. He perceived law as a form of

social engineering, constructed to optimise the welfare of both individuals and the state.

Realists propose that functions of law in jurisprudence advance the best interests of individuals and the state, acting as a regulatory force.

Salmond's perspective on the essence of law is logical. The term "law" encompasses a wide array of rules and principles. It functions as a mechanism regulating human behaviour, signifying justice, ethics, reason, structure and authority within society's framework. It also pertains to legislative components such as laws, acts, rules, regulations, orders and ordinances.

From a judicial standpoint, it involves court decisions, decrees, judgments, court orders and injunctions. This expansive definition encapsulates acts, laws, rules, regulations, orders, ethics, justice, reasoning, fairness, court procedures, decrees, judgments, injunctions, legal wrongs, legal philosophy and theories.

Throughout human civilisation, regulations have been integral to societal functioning. Rules have been established to guide behaviour, enabling harmonious coexistence. The functions of law in jurisprudence are not only to establish standards for conduct and safeguard freedoms but also to furnish a mechanism for resolving conflicts. It empowers parties to enforce commitments through legal proceedings.

Law extends to the business sphere, prescribing guidelines for employment, regulatory adherence and internal operations. Its presence curbs chaos enhances compliance and safeguards harmony within the business environment and broader society.

Classification of Law

The classification of law involves categorising different types of laws based on their nature, scope and purpose. This helps in organising and understanding the various branches of law. Here are some common classifications of law:

- **Public Law vs. Private Law:** This classification divides law into public laws that deal with government and society (like constitutional law and administrative law) and private laws that regulate relationships between individuals and entities (like contract law and tort law).

- **Substantive Law vs. Procedural Law:** Substantive law defines rights, duties and responsibilities, while procedural law outlines the process of enforcing those rights and resolving dispute.

- **Civil Law vs. Criminal Law:** Civil law deals with disputes between individuals or entities, seeking compensation or specific actions, while criminal law addresses offences against society, aiming to punish wrongdoers.
- **National Law vs. International Law:** National law pertains to rules within a specific country, while international law governs relations between countries and entities on a global scale.

Classification of Law As International and National Law

The classification of Law can be done as International and National Law.

International Law

International Law is a classification of law that deals with the rules for how countries interact with each other. It's like a set of guidelines that countries follow when they have dealings with one another. These rules are based on traditions and agreements that countries agree to follow when they interact.

To put it another way, International Law is a collection of traditional and agreed-upon rules that are considered official by well-behaved countries when they deal with each other. According to the Oxford Dictionary, International Law is defined as "a set of rules that are created by tradition or agreements between countries and are seen as binding when countries interact with each other."

This type of law mostly comes from agreements (treaties) between well-behaved countries. International Law can be divided into two main parts:

(a) Public International Law

This is the set of rules that controls how one country behaves toward other countries. For instance, if two countries agree to send back criminals who have run away to the other country, that's an example of Public International Law.

(b) Private International Law

This means the rules that decide what happens when situations involve different countries. For example, if an Indian person and a British person make a deal in India but it's supposed to be carried out in Nepal, the rules that decide what rights and duties the people have are called 'Private International Law'.

Municipal Law or National Law

Municipal Law refers to the laws of a specific nation, the laws that apply within a country's borders. It's the internal law that governs the people who are part of that country. This is different from International Law, which deals with how countries interact on a global level. Municipal Law handles things like how individuals relate to each other within the country and how the country's government interacts with its citizens. The government approves these laws. It's usually limited to the country's territory.

Municipal Law can be classified into two main parts:

- **Public law**
- **Private law**

Classification of Law As Public and Private Law

The classification of Law can be done as Public and Private Law.

Public Law

Public law refers to the part of the law that handles relationships between legal entities, like individuals and the government. It also deals with interactions among different parts of a country's institutions, including different branches of the government. Additionally, public law covers relationships that directly affect society. It's about how the government functions and is accountable.

This type of law sets the rules for how a country is organised and how it operates. It also defines how the government interacts with its citizens. When we say 'public,' we mean the state itself or parts of it that have authority, as well as individuals or bodies that have been given power by the state.

Public law can be divided into specific categories:

Constitutional Law: Constitutional Law determines the nature of the state and how the government is structured. It's the highest form of law, above all other laws. It outlines how the three branches of government function. Regular laws get their importance from constitutional law.

Administrative Law: Administrative Law allows the creation of public regulatory agencies. It covers laws, court decisions and rules related to these agencies. These laws are made by administrative agencies to define how they can use their powers and fulfil their duties through rules, regulations, orders and decisions.

Criminal Law: Criminal Law defines what counts as a criminal offence, regulates how crimes are recognised, establishes charges and trials for suspects and sets out the ways punishment and treatment are applied to convicted offenders. Its main goal is to prevent crime and penalise wrongdoers.

Private Law

Private Law is the branch of law that deals with legal relationships and disputes between individuals, organisations or entities that are not of significant public concern. It governs the interactions and obligations of private parties, such as individuals, businesses and organisations, in their personal and business affairs.

Private law encompasses a wide range of legal matters, including contracts, property ownership, torts (civil wrongs like negligence or defamation), family law (such as marriage, divorce and child custody), inheritance and more. Its focus is on resolving conflicts and ensuring fairness in private matters between individuals and entities.

In contrast to Public Law, which governs relationships between individuals and the government or matters of public interest, Private Law is primarily concerned with the rights, duties and liabilities that individuals and entities have toward each other in their private interactions.

Classification of Law As Civil Law and Criminal Law

The classification of Law can be done as Civil Law and Criminal Law.

Civil Law

Civil law refers to the legal area that deals with actions that cause harm to an individual or a private party, like a company. Examples of civil law cases include instances of defamation, breaking contracts, negligence that results in harm or death and causing damage to property. In civil law cases, individuals (called plaintiffs) start the legal process by filing suits.

Typically, a judge makes the decisions. Penalties in civil law cases usually involve monetary compensation and never imprisonment. The plaintiff needs to prove the defendant's responsibility based on the "preponderance of evidence," which means showing it's more likely than not. Defendants in civil cases don't have the same legal protections as those accused of crimes.

Criminal Law

Criminal law involves actions that are considered crimes against the public, society or the state, even if an individual is the immediate victim. Examples include murder, assault, theft and driving under the influence. In criminal law, the focus is on protecting public interests. This includes punishing and rehabilitating offenders while safeguarding society.

The government assigns the police and prosecutors to enforce criminal law. Public funds cover these services. If you're a crime victim, you report it to the police, who investigate and find suspects. Generally, if there's a proper charge with evidence, the government, not the person who reported the incident, brings the case to court.

Classification of Law As Substantive Law and Procedural Law

The classification of Law can be done as Substantive Law and Procedural Law.

Substantive Law

Substantive law is the set of laws that outlines the original rights and responsibilities of individuals. It can come from common law, statutes or a constitution. For instance, a legal claim related to breach of contract, negligence or fraud is considered a substantive right under common law. This law essentially defines the rules that determine the rights and duties of both individuals and groups.

Procedural Law

Procedural law is the set of legal rules that establish how substantive law is developed, upheld and used, especially within a courtroom. Procedural law deals with the specific processes that guide the progression of a case. It outlines the methods through which substantive laws are enforced and applied. In essence, procedural laws lay down the guidelines for ensuring that substantive laws are followed correctly.

Characteristics of Law in Jurisprudence

1. **Law is a Rule of Human Conduct**
   Law consists of rules that govern the external behavior of individuals in society. It does not control internal thoughts or motives but regulates actions that affect others.
2. **Law is Created and Enforced by the State**
   Law is made, recognized, and enforced by the State through institutions such as legislatures, courts, and executive authorities. Without State recognition, a rule cannot be considered law.
3. **Law is Universally Applicable**
   Laws apply equally to all persons within the territorial jurisdiction of the State, irrespective of caste, religion, gender, or status, unless a reasonable classification is permitted.
4. **Law is Definite and Certain**
   Legal rules must be clear, precise, and certain so that individuals can understand what is permitted and what is prohibited. Uncertainty defeats the purpose of law.
5. **Law is Enforceable by Legal Sanctions**
   Law is backed by sanctions such as punishment, fine, compensation, or imprisonment. This element of coercion distinguishes law from moral or social rules.
   As per John Austin, law is a command of the sovereign backed by sanctions.
6. **Law Regulates External Conduct Only**
   Jurisprudence recognizes that law governs outward actions and not inner intentions. For example, merely thinking of committing a crime is not punishable unless accompanied by an act.
7. **Law is Dynamic and Changeable**
   Law is not static; it evolves with changing social, economic, and political conditions to meet the needs of society.
8. **Law is Related to Justice**
   Though law and justice are not identical, the ultimate objective of law is to achieve justice, order, and stability in society.
9. **Law is a Means of Social Control**
   Law maintains social order by regulating individual behavior and resolving conflicts through established legal mechanisms.
10. **Law is Based on Reason**
    Law is not arbitrary; it is based on logic, reason, and social necessity. Rationality ensures fairness and consistency in its application.

Conclusion

Thus, law in jurisprudence is a **systematic, authoritative, and enforceable body of rules** aimed at regulating human conduct, maintaining social order, and promoting justice. These characteristics collectively distinguish law from other normative systems like morals and customs.

Law and Morality

What is Law?

Law refers to a system of rules and regulations established by governing authorities to maintain order, protect rights, and promote justice. It is designed to set standards for behaviour within society, and failure to comply with these standards results in sanctions or punishments. In simple terms, the law is enforceable by courts or other government bodies, making it an external, structured system that defines what is permissible or prohibited.

What is Morality?

Morality, on the other hand, is a set of values, principles, and beliefs that guide individual behaviour based on what is perceived as right or wrong. Morality often stems from cultural, religious, or philosophical beliefs, and it is more subjective and internal than law. Unlike laws, moral codes are not enforced by any official body; rather, they are informally upheld by social pressures and personal beliefs.

The Relationship Between Law and Morality

The relationship between law and morality is complex. In many cases, legal systems incorporate moral standards to reflect societal values. For instance, laws against theft and murder are based on the moral belief that it is wrong to harm others. However, there are instances where laws and morality diverge.

For example, certain actions may be illegal without being immoral, such as parking in a no-parking zone, or morally controversial but legally permitted, like certain aspects of abortion rights.

In jurisprudence, or the philosophy of law, the debate on how closely law should align with morality is ongoing. Jurisprudence often examines whether laws should strictly reflect moral principles or operate independently. This question has led to two primary schools of thought: legal positivism and natural law theory.

Natural Law Theory

Natural law theorists believe that law and morality are deeply connected and that legal rules should align with universal moral principles. This school of thought argues that laws must meet a moral standard to be considered legitimate. If a law is morally unjust, natural law advocates claim it should not be followed. Thinkers

like Thomas Aquinas and Lon Fuller support this view, emphasising that law should aim to achieve justice by aligning with ethical principles.

Legal Positivism

Legal positivists, such as H.L.A. Hart and John Austin, argue that law and morality are distinct and that legal systems are valid regardless of their moral content. According to this view, laws are created by governing bodies, and their legitimacy does not depend on moral values. Legal positivism holds that laws should be evaluated based on their legal validity and structure rather than their adherence to moral principles.

Law, Justice, and Morality

Law, justice, and morality often work together to create a balanced society. While law provides the rules that everyone must follow, justice aims to apply these laws fairly, and morality offers a set of ethical guidelines that inform both. Justice becomes the bridge between law and morality by ensuring that laws are applied in a manner that aligns with fairness and ethical standards.

The pursuit of justice often brings law and morality into conversation. For instance, the moral obligation to treat people with respect and dignity is reflected in legal systems that prohibit discrimination. Justice requires that both legal and moral considerations be taken into account to ensure that people are treated fairly.

Key Differences Between Law and Morality

While law and morality intersect, they also have notable differences that distinguish them from each other:

Here's a table summarising the differences and relationships between law and morality:

Aspect	Law	Morality
Definition	System of rules enforced by the state to maintain order and justice	Set of personal or societal beliefs about

		right and wrong
Enforcement	Enforced by the government, with official sanctions like fines or imprisonment	Not officially enforced; societal pressure acts as informal enforcement
Changeability	Can be deliberately changed by legislative or judicial bodies	Evolves gradually and is often influenced by cultural shifts
Certainty	Provides structured, clear guidelines that must be followed by all	Flexible and varies widely among individuals and cultures
Scope	Primarily concerned with public order and protection of rights	Broadly influences personal conduct and ethical choices
Focus	External actions and outcomes,	Often considers the

	without focusing on intention	intentions behind actions
Consequences	Violation leads to penalties imposed by courts or authorities	No formal penalties, but social disapproval may result
Examples	Laws against theft, murder, traffic rules	Principles like honesty, kindness, helping others
Overlap with Law	Often incorporates moral standards to reflect societal values	Can inspire new laws but is not itself enforceable by law
Jurisprudence Views	Legal Positivism (law and morality are separate) or Natural Law Theory (they are interdependent)	Seen as a guiding influence but not binding in legal terms

These differences highlight how law and morality operate in separate spheres, even as they influence each other. The distinction between morals and legislation is crucial for understanding how societies can govern effectively while respecting diverse personal beliefs.

Examples of Law and Morality Diverging

While law often reflects moral values, there are notable cases where the two diverge:

1. **Traffic Violations**
   Parking illegally or speeding may be against the law, but such actions are not generally regarded as immoral unless they endanger others.
2. **Homosexuality**
   Homosexuality was illegal in many countries until recently, despite moral opposition rooted in religious and cultural beliefs. In many societies, laws around homosexuality have shifted to support equality, even if some segments of society continue to view it as morally unacceptable.
3. **Abortion**
   Abortion laws vary widely, reflecting different moral views on the sanctity of life and a woman's right to choose. In countries where abortion is legal, some people still view it as morally wrong, while others consider it a moral right based on individual freedom.
4. **Assisted Dying (Euthanasia)**
   Euthanasia or assisted dying is legal in some jurisdictions but remains morally controversial. Supporters argue that people should have the right to choose how they die, while opponents view it as morally wrong to end a life intentionally.

These examples underscore how **law and morality in jurisprudence** can diverge, reflecting different societal views and legal standards.

The Hart-Fuller Debate: A Key Discussion on Law and Morality

One of the most famous debates in jurisprudence about the relationship between law and morality is the Hart-Fuller debate. In 1958, H.L.A. Hart, a legal positivist, and Lon Fuller, a natural law theorist, engaged in a public debate on whether law and morality should be intertwined.

- **Hart's Perspective**: Hart argued that law should be understood as a system of rules separate from morality. He believed that the validity of a law does not depend on its moral content. According to Hart, legal interpretation should remain within the boundaries of the law, without incorporating external moral values.

- **Fuller's Perspective**: Fuller countered that law inherently includes moral standards and that judges often interpret laws with moral considerations in mind. He introduced the idea of the "internal morality of law," suggesting that legal systems require certain moral principles, such as fairness and consistency, to function effectively.

This debate remains influential, emphasising the tension between law justice and morality and reflecting two fundamental approaches to jurisprudence.

The Role of Moral Law

Moral law refers to ethical principles that guide human behaviour, often rooted in religious or philosophical beliefs. Unlike legal systems, moral law is not enforceable by the state but is upheld by personal beliefs and social pressures. Many religions, such as Christianity, Islam, and Hinduism, have moral codes that followers are expected to observe. For instance, the Ten Commandments in Christianity or the teachings of the Quran in Islam offer moral guidance that influences believers' actions.

While moral law is not enforceable like legal statutes, it shapes societal norms and can inspire changes in legal systems. The distinction between morals and legislation is evident here, as moral principles guide individual behaviour, while laws govern societal conduct more broadly.

How Law and Morality Influence Each Other

Despite their differences, law and morality influence each other. Moral values often inspire laws, and laws can, in turn, shape moral standards within society. For example:

- **Civil Rights Movement**: The moral belief in equality influenced anti-discrimination laws, which have since helped shift societal views on race and equality.
- **Environmental Protection**: Growing moral concern for the environment has led to laws aimed at protecting natural resources and reducing pollution.
- **Human Rights**: Moral values regarding human dignity have led to international laws that promote and protect human rights.

These examples illustrate how moral beliefs can lead to legislative change, creating a relationship between law and morality in jurisprudence that is dynamic and evolving.

Jurisprudence -meaning nature and utility

Meaning of Jurisprudence

The term "jurisprudence" comes from the Latin word "juris-prudentia," which translates to "knowledge of law" in its broadest sense. Specifically, "juris" means law and "prudentia" means skill or knowledge. Therefore, jurisprudence refers to the understanding of law and its practical application.

Jurisprudence is the study and theory of law, particularly the philosophy of law. It involves examining the fundamental principles and concepts of law, the role and function of law in society and the methods and techniques used to interpret and apply the law.

Jurisprudence explores the nature of law, legal systems and legal institutions and seeks to understand the social, political and cultural contexts in which law operates. It is a broad field that encompasses a range of perspectives, including legal positivism, natural law, legal realism and critical legal studies. Through the study of jurisprudence, scholars and practitioners seek to develop a deeper understanding of the law and its role in shaping society.

Definitions of Jurisprudence

Oxford Dictionary defines 'Jurisprudence' as the systematic and formulated knowledge or the science of human law,

Definitions by various jurists

- **Ulpian a Roman Jurist** defines jurisprudence as " Jurisprudence is the knowledge of things divine and human, the science of just and unjust."
- **Cicero** defines Jurisprudence as "Jurisprudence is the philosophical aspect of the knowledge of law".
- **Austin** defines Jurisprudence as the "philosophy of positive law".
- By positive law or jus positivism, he means the law laid down by a political superior for controlling the conduct of those subject to his authority
- **Holland** has defined jurisprudence as the "formal science of positive law".
- **Salmond** defines jurisprudence as "the science of the first principles of the civil law."
- **Kant** defines jurisprudence as "the science of right."

- **Roscoe Pond** defines jurisprudence as "the science of law".
- **Gray** defines jurisprudence as "the science of law, the statement and systematic arrangement of the rules followed by the courts and the principles involved in these rules."
- **Allen** defines jurisprudence as "the scientific synthesis of the essential principles of law."
- **Keeton** defines jurisprudence as "Jurisprudence' is the study and systematic arrangement of the general principles of law."
- **Jullius Stone** defines jurisprudence as a "lawyer's extraversion."
- **Laski** defines jurisprudence as "Jurisprudence' is an eye of law."

Nature of Jurisprudence

Jurisprudence is the study and theory of law and it plays a critical role in shaping our understanding of the legal system. This field provides insights into the fundamental principles and concepts of law, including the meaning of rights, duties, possessions, property and remedies. By examining these concepts, jurisprudence helps us to better understand the role and function of law in society.
One of the key aspects of **jurisprudence is its focus on the sources of law**. This field provides insights into the various sources of law, including statutory law, common law and constitutional law. Through the study of jurisprudence, scholars and practitioners seek to develop a deeper understanding of how these sources of law interact with each other and how they influence the development of legal systems over time.
Another important aspect of jurisprudence is its role in **clarifying the concept of law itself**. While the law is often thought of as a set of rules and regulations, jurisprudence helps us to understand that law is a complex and multifaceted concept that cannot be reduced to a simple definition. Instead, the law is a dynamic and evolving concept that is shaped by a range of social, cultural and political factors.
It is important to note that jurisprudence is not a substantive or procedural law. Rather, it is an **uncodified law that provides a framework for understanding the legal system as a whole.** Jurisprudence serves as the "eye of law," providing insights into how the law operates and how it can be used to achieve justice and fairness in society.
While some scholars view jurisprudence as a science, others view it as a social science. Scholars of the historical school of jurisprudence, for example, view jurisprudence as a social science that is shaped by historical, cultural and political

factors. Regardless of how one views jurisprudence, however, it is clear that this field plays a critical role in shaping our understanding of the legal system and in guiding the development of legal theory and practice over time.

Scope of Jurisprudence

Jurisprudence is a field of study that encompasses a wide range of topics and disciplines. It explores the relationship between law, culture and society and it seeks to understand the fundamental principles and concepts that underpin the legal system. One of the key aspects of jurisprudence is its focus on legal logic, which involves the study of legal frameworks, bodies of law and the reasoning behind legal decisions.

However, the scope of jurisprudence goes beyond just the study of legal logic. It also encompasses other fields, such as psychology, politics, economics, sociology and ethics. This is because the law is not created in a vacuum, but rather is shaped by the social, cultural and political context in which it operates. Therefore, jurisprudence seeks to understand how these various fields intersect with the law and how they influence the development and application of legal principles.

The study of jurisprudence is also important for understanding the nature of law itself. It explores questions such as the origin of law, the need for law and the utility of law and seeks to develop a deeper understanding of how the law operates in practice. This includes studying various legal systems and traditions and how they have evolved over time.

Justice P.B. Mukherjee noted that jurisprudence is both an intellectual and idealistic abstraction, as well as a study of human behaviour in society. It encompasses political, social, economic and cultural ideas and covers the study of individuals in relation to the state and society.

Overall, the scope of jurisprudence is vast and wide-ranging and includes a variety of disciplines and topics. It is an essential field of study for understanding the legal system and the role of law in society and it continues to play a critical role in shaping legal theory and practice today.

Difference Between Jurisprudence and Legal Theory

Jurisprudence and legal theory are two related but distinct fields of study. Jurisprudence is a broader field that encompasses the study of the nature of law and its principles, while legal theory is a subset of jurisprudence that specifically examines the philosophical content of the law.

As Fitzgerald has pointed out, jurisprudence covers a wider field of study compared to legal theory. It involves an investigation of abstract, general and theoretical aspects of the law. In contrast, legal theory seeks to clarify the most fundamental legal concepts and answer the question, "what is law?".

Legal theory is just one aspect of jurisprudence, which is concerned with the evaluative and philosophical study of law in terms of its ends, values and goods. It is focused on living law, which is based on social forces and felt needs and it rejects purely technical, analytical or conceptual perceptions of the law.

In summary, jurisprudence is a broader field that encompasses legal theory as well as other aspects of the study of law. Legal theory, on the other hand, is a subset of jurisprudence that specifically focuses on the philosophical content of the law.